

REMARKS

Claims 1-48 are pending in this application. Attached hereto is a complete listing of all claims in the application, with their current status listed parenthetically. By this Response, Specie I claims 1-25 have been elected, with traverse, and Specie II claims 26-41, as well as Specie III claims 42-48 have been withdrawn.

In the May 27, 2005 Election/Restriction Requirement, the Examiner requests an election between Specie I (claims 1-25), Specie II (claims 26-41), and Specie III (claims 42-48).

By this Response, Applicant affirmatively elects Specie I (claims 1-25) to be examined. Accordingly, Applicant withdraws Specie II (claims 26-41) and Specie III (claims 42-48) without prejudice as non-elected claims.

However, Applicant expressly reserves his right under 35 U.S.C. § 121 to file one or more divisional or continuation applications directed to the non-elected subject matter during the pendency of this application, or an application claiming the benefit of this application under 35 U.S.C. § 120.

Applicant respectfully requests that the Examiner reconsider and withdraw the election requirement between the inventions of Species I, II and III. There are two criteria for a proper election/restriction requirement, namely: 1) the inventions must be independent or distinct; and 2) there must be a serious burden on the Examiner if election/restriction is not required. Under M.P.E.P. § 808, the Examiner must examine the subject application on the merits even though it includes claims to distinct inventions, if the search and examination of the application can be made without serious burden. Applicant submits that a search of the art for references related to the subject matter of the claims of Specie I may likely uncover references related to the subject matter of Species II and III, and therefore the Examiner will not be seriously burdened.

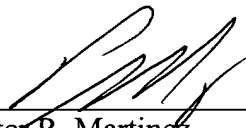
Conclusion

Applicant believes that this Response has addressed all items in the Election/Restriction Requirement and now places the application in condition for examination. No fee is believed due with this response. However, the Commissioner is authorized to charge any fee required to our Deposit Account No. 50-3143, in the name of Pulse-Link, Inc. Should any issues remain unresolved, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

June 13, 2005

Date



Peter R. Martinez
Attorney for Applicant(s)
Reg. No. 42,845

c/o PULSE-LINK, INC.
1969 Kellogg Avenue
Carlsbad, California 92008
Telephone No.: (760) 607-0844